

CHARGE: Between 6-4-58 and 7-16-58, *dextro-amphetamine sulfate capsules* were dispensed 4 times and *amphetamine sulfate tablets* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 5-18-59. \$300 fine against each defendant.

5951. (F.D.C. No. 42403. S. Nos. 1-588/9 P, 1-595/6 P, 1-598 P, 1-694 P, 1-698 P, 1-712/3 P.)

INFORMATION FILED: 3-3-59, N. Dist. Ga., against McKinney's Apothecary (a partnership), Decatur, Ga., and William Wingo McKinney (partner), and John Lewis Pledger (partner).

CHARGE: Between 2-28-58 and 3-25-58, *dextro-amphetamine sulfate tablets* (counts 1, 2, and 3) were dispensed 3 times, and *pentobarbital sodium capsules* (counts 4 and 5), *secobarbital sodium capsules* (counts 6 and 7), and *meprobamate tablets* (counts 8 and 9) were each dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere by partnership to all counts of the information; by McKinney to counts 2, 3, 5, 6, 7, and 9; and by Pledger to counts 1, 3, 4, 7, 8, and 9.

DISPOSITION: 3-30-59. Partnership—\$9 fine; McKinney—\$171 fine; and Pledger—\$170 fine.

5952. (F.D.C. No. 41143. S. Nos. 39-458 M, 39-462/3 M.)

INFORMATION FILED: 3-28-58, M. Dist. N.C., against Ransom Fred Carswell, Jr., Winston-Salem, N.C.

CHARGE: Between 6-6-57 and 6-18-57, *dextro-amphetamine sulfate tablets* were dispensed 3 times upon request for prescription refills without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 5-20-58. \$1,000 fine, sentence of 2 years imprisonment suspended, and probation for 2 years.

5953. (F.D.C. No. 42440. S. Nos. 13-601/2 P, 13-807 P.)

INFORMATION FILED: 3-30-59, E. Dist. Wis., against Hiram L. Brooks, t/a Brooks Drug Store and Brooks Super Drug Store, Marinette, Wis., and Carlton Bohman (clerk).

CHARGE: Between 7-28-58 and 8-20-58, *dextro-amphetamine sulfate tablets* were dispensed once and *Ergoapiol with savin capsules* were dispensed twice without a prescription.

PLEA: Guilty by Brooks to the counts involving *Ergoapiol with savin capsules* and by Bohman to the count involving *dextro-amphetamine sulfate tablets*.

DISPOSITION: 1-11-60. Brooks—\$1,000 fine; Bohman—\$250 fine.

5954. (F.D.C. No. 43237. S. Nos. 1-210 P, 1-219 P, 1-249 P.)

INFORMATION FILED: 9-23-59, S. Dist. Ga., against Clarence L. Powell, t/a Wilkes Drug Co., Collins, Ga.

CHARGE: Between 1-12-59 and 3-30-59, *Dexedrine Sulfate tablets* were dispensed twice and *Dexamyl Spansule capsules* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 11-9-59. \$300 fine and probation for 2 years.

5955. (F.D.C. No. 43208. S. Nos. 906 P, 917 P, 2-352 P, 44-282 P, 44-309 P, 44-314/5 P, 44-317/8 P, 44-331 P.)

INFORMATION FILED: 7-22-59, S. Dist. Ga., against Alton P. Meeks, Sr., t/a Alma Drug Co., Alma, Ga.

CHARGE: Between 10-7-58 and 12-8-58, *Dexedrine Sulfate tablets* and *secobarbital sodium capsules* were each dispensed 4 times upon requests for prescription refills without authorization by the prescriber, and *Pentids tablets* were dispensed twice without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 9-21-59. \$500 fine and probation for 2 years.

5956. (F.D.C. No. 41724. S. Nos. 65-527/8 M, 65-530/2 M.)

INFORMATION FILED: 7-8-58, E. Dist. Ky., against McAdams & Morford, Inc., Lexington, Ky., Francis E. Crowley (pharmacist and manager for the corporation), Billy Ray Gaines (pharmacist), and J. Thomas Manuel (pharmacist).

CHARGE: Between 10-6-57 and 10-10-57, *Dexedrine Sulfate tablets* were dispensed 5 times upon requests for a prescription refill without authorization from the prescriber.

PLEA: Not guilty by the corporation and Crowley on all counts; by Manuel on count 3; and by Gaines on count 4.

DISPOSITION: The case came on for trial before the court and jury on 5-25-59. On 5-28-59, the jury by its verdict acquitted all the individual defendants, and the corporation was found guilty on counts 2, 3, 4, and 5 and acquitted on count 1.

Thereafter, on 6-3-59, the corporate defendant filed a motion to set aside the verdict of guilty against the corporation, which motion was overruled. On 10-19-59, the corporation was fined \$2,000 and costs.

5957. (F.D.C. No. 42026. S. Nos. 3-511/16 P.)

INFORMATION FILED: 11-13-58, District of Columbia, against Wesley Heights Pharmacy, Inc., Washington, D.C., and Arnold S. Meier (pharmacist).

CHARGE: Between 4-22-58 and 5-31-58, *Dexedrine Sulfate tablets* were dispensed 3 times upon requests for a prescription refill without authorization from the prescriber and 3 times without a prescription.

PLEA: Not guilty by the corporation and the individual.

DISPOSITION: The case came on to trial before the court and jury. On 2-5-59, the jury returned a verdict of not guilty against the corporation and the court declared a mistrial as to defendant Meier. Subsequently the case against Meier was set for trial again. On 11-16-59, before the case came on to trial, the defendant, Meier, pleaded guilty to 2 counts of dispensing *Dexedrine Sulfate tablets* without a prescription and was sentenced to pay a fine of \$1,000 or serve 180 days in jail on each count, with the sentences to run concurrently.